

REMARKS

Claims 1-33 stand rejected. Claims 1-33 remain pending in this patent application. Applicant respectfully requests further examination and reconsideration in view of the remarks set forth below. Applicant respectfully submits that the amendments to the specification and claims do not add new matter to the application.

Specification Objection

The specification is objected to because of an informality. Applicant respectfully submits that the specification as herein amended renders this objection moot.

35 U.S.C. §112 Rejection

The present Office Action alleges that "Claims 1-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Applicant respectfully submits that Claims 1-33 as herein amended render this rejection moot.

35 U.S.C. §102 Rejections

Claims 13, 14, 16, 17, 19, 21, 24, 28, 29 and 31-33 of the present application are rejected under 35 U.S.C. §102(e) as being anticipated by Saito, US Patent Number 6,002,772 (hereinafter Saito).

### CLAIM 13

Applicant respectfully contends that Saito fails to teach or suggest subject matter recited in newly amended independent Claim 13. For instance, amended Claim 13 recites in part (emphasis added):

coupling said first client device to a directory device to specify media content to download;

supplying to said first client device a list of media suppliers for providing said media content;

Applicant respectfully asserts that Saito does not teach or suggest supplying to the first client device a list of media suppliers for providing the media content as recited in amended Claim 13. Since Saito fails to teach or suggest at least one element specifically recited in amended Claim 13, Applicant respectfully contends that Saito cannot anticipate nor render obvious amended Claim 13.

Based on the above rationale, Applicant respectfully submits that newly amended independent Claim 13 is not anticipated nor rendered obvious by Saito . Therefore, Applicant respectfully submits amended Claim 13 is allowable over Saito.

### CLAIM 24

Applicant respectfully contends that Saito fails to teach or suggest subject matter recited in newly amended independent Claim 24. For instance, amended Claim 24 recites in part (emphasis added):

a directory device for coupling said first client device to said media supplier and for supplying to said first client device a list of media suppliers that comprises said media supplier;

Applicant respectfully asserts that Saito does not teach or suggest a directory device for supplying to said first client device a list of media suppliers that comprises said media supplier as recited in amended Claim 24. Since Saito fails to teach or suggest at least one element specifically recited in amended Claim 24, Applicant respectfully contends that Saito cannot anticipate nor render obvious amended Claim 24.

Based on the above rationale, Applicant respectfully submits that newly amended independent Claim 24 is not anticipated nor rendered obvious by Saito . Therefore, Applicant respectfully submits amended Claim 24 is allowable over Saito.

#### 35 U.S.C. §103 Rejections

Claims 1, 2, 4, 5, 7 and 10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Saito, US Patent Number 6,002,772 (hereinafter Saito).

#### CLAIM 1

Applicant respectfully contends that the Saito reference fails to teach or suggest subject matter recited in newly amended independent Claim 1. For instance, amended Claim 1 recites in part (emphasis added):

performing a registration process with a directory device, said registration process comprises a first client device specifying media content to download and which device is allowed to or restricted from copying said media content once downloaded to said first client device;

Applicant respectfully contends that Saito does not teach or suggest a registration process comprises a first client device specifying media content to download and which device is allowed to or restricted from copying the media content once downloaded to the first client device as recited in amended Claim 1. Since Saito fails to teach or suggest at least one element recited in amended Claim 1, Applicant respectfully contends that Saito cannot render obvious amended Claim 1.

Based on the above rationale, Applicant respectfully submits that amended independent Claim 1 is not render obvious by Saito. Therefore, Applicant respectfully submits that Claim 1 is allowable over Saito.

CONCLUSION

In light of the above listed remarks, Applicant respectfully requests reconsideration of rejected Claims 1-33.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP



Dated: FEB. 6, 2004

Thomas M. Catale  
Registration No.: 46,434

WAGNER, MURABITO & HAO LLP  
Two North Market Street, Third Floor  
San Jose, CA 95113

Voice: (408) 938-9060  
Facsimile: (408) 938-9069